



CURRITUCK COUNTY NORTH CAROLINA

July 17, 2017

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 5:00 PM Emergency Management Hurricane Preparedness

The Board of Commissioners attended a 5 PM work session on Hurricane Preparedness. Emergency Management Director, Mary Beth Newns, used a powerpoint to provide information on Emergency Operations Center (EOC) protocol and hurricane response processes. Policies and procedures were reviewed, from initial monitoring and weather advisories through emergency declarations and evacuation decisions. Evacuation routes and powers granted to the Board Chairman during a state of emergency were discussed. Information related to post storm procedures, WebEOC monitoring software, re-entry and demobilization were presented.

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners held a regular meeting at 6:00 PM in the Historic Currituck Courthouse Board Meeting Room located at 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	Present	
Paul M. Beaumont	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Marion Gilbert	Commissioner	Present	
Mike D. Hall	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Hanig called the meeting to order.

A) Invocation & Pledge of Allegiance-Reverend Susan Fitch-Slater, Sharon United Methodist Church

Reverend Susan Fitch-Slater was in attendance to offer the Invocation and lead the Pledge of Allegiance.

B) Approval of Agenda

Chairman Hanig amended the agenda and added a Closed Session pursuant to G.S.

143-318.11(a)(3) to consult with the county attorney and in order to preserve the attorney-client privilege.

Commissioner Gilbert moved for approval of the agenda. Commissioner Payment seconded and the motion passed unanimously.

Approved agenda:

Work Session

5:00 PM Emergency Management Hurricane Preparedness

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Reverend Susan Fitch-Slater,
Sharon United Methodist Church

B) Approval of Agenda

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Public Hearings

A) **Public Hearing and Action: PB 17-04 Currituck County:**

The 2017 Housekeeping Amendment to modify and correct the Unified Development Ordinance Chapter 2 Administration, Chapter 4 Use Standards, Chapter 5 Development Standards, Chapter 7 Environmental Protection, Chapter 9 Enforcement and, Chapter 10 Definitions and Measurements.

New Business

A) **An Ordinance of the Currituck County Board of Commissioners Amending Chapter 9, Article I of the Currituck County Code of Ordinances by Adding Section 9-9 to Allow the Sale of Malt Beverages, Unfortified Wine, Fortified Wine, and Mixed Beverages on Sundays Beginning at 10:00 A.M.**

B) Board Appointments

1. Library Board of Trustees
2. Senior Citizens Advisory

C) Consent Agenda

1. Approval Of Minutes for June 19, 2017
2. Resolution Requesting NCDOT Perform a Speed Limit Study-Brumsey Road

3. Settlement of Delinquent Taxes for FY 2016-17
4. Report of Insolvents and Resolution Approving the Settlement with the Tax Collector for Insolvents
5. Sole Source Purchase Mueller System

D) Commissioner's Report**E) County Manager's Report****Closed Session**

Amended Item-Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and in order to preserve the Attorney-Client privilege

Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

PUBLIC COMMENT

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Josh Bass, Currituck Chamber of Commerce President, spoke in favor of the Brunch Bill and asked the Board to lift the restriction and allow alcohol sales to begin at 10 AM on Sunday in Currituck County. Mr. Bass said Currituck businesses are at a competitive disadvantage compared to neighboring areas who are able to sell, resulting in lost revenue for Currituck businesses.

Dave Knoch, Corolla, distributed photos and discussed the negative impacts to his family related to county decisions to prohibit golf cart parking along the southern beach access road and the termination of the agreement with the Currituck Club for handicap beach transportation services. He spoke of the Corolla PAC, a group who plan to take up issues related to the safety of event homes and completion of the multi-use path.

Matthew Paulson of Kill Devil Hills, owner of First Light Breakfast and Burgers in TimBuck II, spoke in favor of allowing 10 AM liquor sales on Sunday, and presented surveys filled out by patrons to demonstrate their support.

John Wright of Powells Point, and owner of Sanctuary Vineyards, said the vineyards do lose sales between the hours of 10 AM and Noon on Sunday and asked the Board to vote in favor of the ordinance to expand the hours for alcohol sales.

Manly West of Currituck County spoke in opposition to the expanded hours for alcohol sales and asked the Board to vote against the ordinance.

With no one else wishing to speak Chairman Hanig closed the Public Comment period.

PUBLIC HEARINGS

A. Public Hearing and Action: PB 17-04 Currituck County: 2017 UDO Housekeeping Amendment

PB 17-04 CURRITUCK COUNTY

Amendment to the Unified Development Ordinance Chapter 2 Administration, Chapter 4 Use Standards, Chapter 5 Development Standards, Chapter 7 Environmental Protection, Chapter 9 Enforcement, and Chapter 10 Definitions and Measurement.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1: That Chapter 2. Administration is amended by adding the following underlined language and deleting the struck-through language:

2.2.3. Planning Board

B. Membership, Appointment, and Terms of Office

(7) General

- (a) The Planning Board shall consist of ~~a total of nine~~ seven regular members appointed by the Board of Commissioners. Each County Commissioner may appoint one member from any electoral district in the county, two of which shall be at-large members. ~~The remaining two members shall be designated as at-large appointees by the entire Board of Commissioners. One shall reside on the mainland. The other shall reside on the Outer Banks.~~
- (b) Planning Board members shall reside within the county. A change in residence to a location outside the county shall constitute a resignation from the Planning Board, effective upon the date a replacement is appointed.
- (c) Planning Board members shall be appointed for two-year staggered terms, and ~~may~~ continue to serve until their successors are appointed.
- (d) Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term only.

Item 2: That Chapter 4. Use Standards and Chapter 10. Definitions and Measurement are amended by adding the following underlined language and deleting the struck-through language:

4.2.3. Institutional Uses

C. Wind Energy Facility, Large

(21) Environmental Review Required

An application for a large wind energy facility shall require review by NCDENR, NCDEQ USACOE, the US Fish and Wildlife Service, and the NC Wildlife Resources Commission. All comments from these agencies shall be included with the application.

4.2.5.

Industrial Uses

C. Extractive Industry

(ii) Monitoring Wells

Monitoring wells may be required for mining activities with dewatering operations when an existing in use well, pond, or a source of salt water intrusion is within a 1,500 foot radius of the excavation area. A plan shall be provided outlining groundwater monitoring strategies which demonstrates the effects of pumping. Monitoring well requirements shall include the following:

- (A) Monitoring wells to assess hydrogeological conditions shall be constructed to comply with the provisions of NCDENR NCDEQ rule 15A NCAC 02C - Well Construction Standards.
- (B) Install to a depth equal to the maximum depth of the mine dewatering operation.
- (C) Monitoring wells shall be located between the excavation area and the in use wells or pond and located as close as possible to the mine property line. In no instance shall the monitoring well be located closer than one-third the distance from the in use well to the mine. In some instances, it may be necessary to install the well on adjacent properties, in which case a well construction permit will be required through NCDENR NCDEQ.

10.2

TABLE OF ABBREVIATIONS

TABLE 10.2: ABBREVIATIONS

ABBREVIATION	ASSOCIATED TERM
<u>NCDENR</u> or <u>DENR</u> <u>NCDEQ</u> or <u>DEQ</u>	North Carolina Department of <u>Environment and Natural Resources</u> <u>Environmental Quality</u>

10.5

CAMA

North Carolina's Coastal Area Management Act. This act, along with the Dredge and Fill Law and the federal Coastal Zone Management Act, is managed through North

Carolina Department of Environment and Natural Resources' (NCDENR's) Environmental Quality's Division of Coastal Management (DCM).

Item 3: That Chapter 9. Enforcement is amended by adding the following underlined language and deleting the struck-through language:

9.6.2. Civil Penalties

C. General

In addition to the other remedies cited in this Ordinance for the enforcement of its provisions, the standards in this Ordinance may be enforced through the issuance of civil penalties.

D. Citation

Violation of this Ordinance subjects the violator to a civil penalty. To impose a civil penalty, the Planning Director shall first provide the violator a written citation, either by mail or personal service. The citation shall describe the violation, specify the amount of the civil penalty being imposed, and direct the violator to correct the violation and pay the civil penalty to the county within a stated time period. Unless otherwise specified, each day's continuing violation of any provision of this Ordinance shall be separate and distinct offense.

E. Amount of Civil Penalty

The amount of civil penalties for violations of this Ordinance shall not exceed a maximum amount of \$500 per day for each day the violation continues.

F. Recovery of Civil Penalty

If the violator fails to pay the civil penalty within ten days of the citation, the county may recover the penalties in a civil action in the nature of debt.

(8) A civil penalty may not be appealed to the Board of Adjustment. ~~if the appeal is not filed within the time period specified in the citation.~~

Item 4: That Chapter 5. Development Standards is amended by adding the following underlined language:

5.6.7. Driveway and Access Standards

G. General Standards

(7) Driveways on corner and double frontage lots shall provide access from the street with less traffic to the maximum extent practicable.

Item 5: That Chapter 2. Administration is amended by adding the following underlined language and deleting the struck-through language:

2.3.3. Community Meeting

A. Purpose

The purpose of the community meeting is to inform owners and occupants of nearby lands about a proposed development application that is going to be reviewed under this Ordinance, and to provide the applicant an opportunity to hear comments and concerns about the development proposal as a means of resolving conflicts and outstanding issues, where possible.

B. Favored Practice

Community meetings are encouraged as opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by development proposals.

C. Applicability**(7) Community Meeting Mandatory**

A community meeting is required before submittal of any of the following applications:

- (a) Zoning map amendments to establish a more intense base zoning district;
- (b) Conditional rezonings;
- (c) Planned developments;
- (d) Use permits; and
- (e) Type II preliminary plats (for major subdivision) of 50 lots or more.

(8) Community Meeting Optional

A community meeting is encouraged, but not required, before submittal of any other development application that is subject to a public hearing (see Table 2.3.6.A, Required Public Hearings).

D. Procedure

If a community meeting is held by the applicant, it shall comply with the following procedures:

(7) Time and Place

The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the application.

(8) Notification**(a) Mailed Notice**

The applicant shall mail notice of the meeting a minimum of ten days in advance of the meeting to the Planning Director and all persons to whom mailed notice of a public hearing on the development application is required by Section 2.3.6, Public Hearing Scheduling and Public Notification.

(b) Posted Notice

The applicant shall post notice of the community meeting on the land subject to the application for at least ten days before the date fixed for the meeting, in a form established by the Planning Director. Signs used for posted notice shall have a minimum size of six square feet per side.

(c) Notice Content

Notices shall identify the date, time, and place of the meeting and applicant contact information.

(9) Conduct of Meeting

At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to questions and concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.

(10) Staff Attendance

County staff shall attend the meeting for the purpose of advising attendees about applicable provisions of this Ordinance and the land use plan, but shall not serve as facilitators or become involved in discussions about the development proposal.

(11) Written Summary of Community Meeting

The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, discuss issues related to the development proposal, and any other information the applicant deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection.

(12) Response to Summary

Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Planning Director within 30 days after the application is determined complete. The response may state their understanding of attendee comments, discuss issues related to the development proposal, and include any other information they deem appropriate. All written responses to the applicant's summary of the community meeting shall be transmitted to the applicant, included with the application materials, and made available for public inspection.

(13) Additional Meetings

The applicant shall hold additional meetings to explain revised development proposals and applications that result in significant substantive revisions explained at a previous community meeting.

Item 6: That Chapter 5. Development Standards is amended by adding the following underlined language:

5.12.

Applicability

A. General

These off-street parking and loading standards shall apply to all development in the county.

B. Time of Review

Review of proposed development to ensure compliance with the standards of this section shall occur at time of site plan (Section 2.4.7), planned development master plan (Section 2.4.5) zoning compliance permit (Section 2.4.9), or temporary use permit (see Section 2.4.11), whichever occurs first.

C. Existing Development

(1) Change in Use

Any change in use of an existing development shall provide the additional off-street parking and loading facilities required to comply with this section.

(2) **Expansion and Enlargement**

Any expansion or enlargement of an existing structure that will increase the number of units upon which the applicable parking standard is based (e.g., square feet, employees, dwelling units, seats, bedrooms) shall provide additional off-street parking, loading, and circulation facilities as required by application of these minimum off-street parking, loading, and circulation standards, unless exempted.

(3) **Nonconforming Parking or Loading Facilities**

Expansion or enlargement of an existing development on a site that does not comply with the standards of this section shall comply with the standards of Section 8.6, Nonconforming Sites.

D. Exemptions

The following activities are exempt from the requirements of this section:

- (1) Re-striping an existing parking lot which does not create a deficient number of parking spaces or nonconforming situation;
- (2) Expansion of a single-family or duplex dwelling that does not increase the number of bedrooms; and
- (3) Rehabilitation or re-use of an historic structure.

Item 7: That Chapter 7. Environmental Protection Standards is amended by adding the following underlined language and deleting the following struck-through language:

7.4.5. Flood Certificates / Certifications

All development within a special flood hazard area shall obtain all required flood certificates or certifications in accordance with this section and Table 7.4.5, Flood Certificates.

TABLE 7.4.5: FLOOD CERTIFICATES

CERTIFICATE TYPE	TYPE OF DEVELOPMENT SUBJECT TO REQUIREMENT	FLOOD ZONE WHERE REQUIRED	TIMING
Elevation Certificate	All residential and nonresidential development [1]	A, AE, VE, AEFW [3]	Under construction- required prior to scheduling rough in inspection; As-built – required prior to occupancy
Floodproofing Certificate	All nonresidential development with floor area below base flood elevation [1] [2]		Prior to start of construction
Foundation Certification	Manufactured home with chassis 36 inches or more above grade [4]	A, AE	Prior to issuance of building permit
Watercourse Alteration Certification	Development seeking to alter or relocate a watercourse	A, AE, AEFW, VE	Prior to floodplain development permit
V-Zone	All residential and nonresidential	VE	Required as part of Building

TABLE 7.4.5: FLOOD CERTIFICATES

CERTIFICATE TYPE	TYPE OF DEVELOPMENT SUBJECT TO REQUIREMENT	FLOOD ZONE WHERE REQUIRED	TIMING
Certificate	development		Permit

NOTES:

- [1] Recreation vehicles, temporary structures, and accessory structures less than 150 square feet in area in the A and AE flood zones must comply with the standards of this section, but are exempted from elevation and flood-proofing certificate requirements
- [2] Development subject to a floodproofing certificate is not required to obtain an elevation certificate
- [3] Floodproofing is not permitted within the VE zone
- [4] Manufactured homes are not permitted in the VE zone

7.4.6. Standards**E. Standards for Coastal High Hazard Areas (VE Zones)****(7) Allowed Uses**

- (a) No manufactured homes shall be permitted in the coastal high hazard flood zone, except for replacement manufactured homes located in existing manufactured home parks and subdivisions permitted by this ordinance subject to the standards in Section 7.4.6.A.4.
- (b) Recreational vehicles are permitted in the coastal high hazard flood zone, subject to the standards in Section 7.4.6.A.7, Recreational Vehicles.

Item 8: That Chapter 4. Use Standards and Chapter 10 Definitions and Measurement is amended by adding the following underlined language and deleting the following struck-through Section and Table references for Gasoline Sales, Home Occupations, Land Application of Sludge or Septage, Outdoor Storage, and Outdoor Display and Sales:

UDO Section	Amendment Request
Section 4.2.4.H (1)(c)	4.3.3.P.Q.
Section 4.2.4.H.(2)(c)	4.3.3.P.Q.
Section 4.2.4.H.(3)(a)	4.3.3.P.Q.
Section 4.2.4.I.(2)(b)	4.3.3.P.Q.
Section 4.2.4.I.(2)(c)	4.3.3.I.J.
Section 4.2.5.B.(2)	4.3.3.P.Q.
Section 4.2.5.E.(6)(b)	4.3.3.P.Q.
Section 4.3.3.O.(1)	4.3.3.N.Q.
Section 4.3.3.Q.(5)	4.3.3.P.Q.
Section 4.4.6.C.	4.3.3.O.P.
Section 10.4.3.A.(1)	4.3.3.J.K.

Item 9: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 10: This ordinance amendment shall be in effect from and after the _____ day of _____, 2017.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____

MOTION TO ADOPT BY COMMISSIONER: _____

SECONDED BY COMMISSIONER: _____

VOTE: AYES _____ NAYS _____

PLANNING BOARD DATE: 6/13/2017

PLANNING BOARD RECOMMENDATION: _____ Approval

VOTE: 7 AYES 0 NAYS

ADVERTISEMENT DATE OF PUBLIC HEARING: 7/05/2017 & 7/16/2017

BOARD OF COMMISSIONERS PUBLIC HEARING: 7/17/2017

BOARD OF COMMISSIONERS ACTION: _____

POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____

AMENDMENT NUMBER: _____

To: Board of Commissioners
From: Planning Staff
Date: July 17, 2017
Subject: PB 17-04 Currituck County - 2017 Housekeeping Amendment

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO) as it relates to:

Item 1 Modifies Planning Board appointments by the Board of Commissioners.

Item 2 Corrects the North Carolina Department of Environmental Quality (NCDEQ) department name change.

Item 3 Corrects the appeal process for a notice of violation.

Item 4 Provides driveway standards for double frontage lots.

Item 5 Provides language for additional community meetings when development proposals and applications result in substantive revisions.

Item 6 Clarifies the parking requirements for development that result in an increase in the number of bedrooms.

Item 7 Corrects language to be consistent with the model flood ordinance for mobile homes replaced in coastal high hazard areas (VE zones).

Item 8 Corrects reference errors in Chapter 4 Use Standards and Chapter 10 Definitions and Measurement for Gasoline Sales, Home Occupations, Land Application of Sludge or Septage, Outdoor Storage, and Outdoor Display and Sales.

Planning Board Recommendation:

Shay Ballance motioned to recommend approval as presented by staff. Mr. O'Brien seconded the motion and the motion carried unanimously.

Planning Board Discussion (6/13/17)

Donna Voliva presented the staff report for the Currituck County 2017 Housekeeping Amendment which clarifies and revises miscellaneous sections of the Unified Development Ordinance (UDO).

Chairman Bell asked for questions from the board.

With no questions, Chairman Bell entertained a motion.

Shay Ballance motioned to recommend approval as presented by staff. Mr. O'Brien seconded the motion and the motion carried unanimously.

Planning Director, Laurie LoCicero, reviewed each of the proposed housekeeping amendments to the Unified Development Ordinance and responded to questions posed by the Board.

Chairman Hanig opened the public hearing. With no one wishing to speak the public hearing was closed.

Commissioner Gilbert moved to approve the amendment to modify and correct the Unified Development Ordinance Chapter 2-Administration, Chapter 4-Use Standards, Chapter 5-Development Standards, Chapter 7-Environmental Protection, Chapter 9-Enforcement and Chapter 10-Definitions and Measurements, as Items 1-8 presented by staff.

The motion was seconded by Commissioner Hall and passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike D. Hall, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

NEW BUSINESS**A. An Ordinance of the Currituck County Board of Commissioners Amending Chapter 9, Article I of the Currituck County Code of Ordinances by Adding Section 9-9 to Allow the Sale of Malt Beverages, Unfortified Wine, Fortified Wine, and Mixed Beverages on Sundays Beginning at 10:00 A.M.**

County Attorney, Ike McRee, reviewed the ordinance with the Board and explained that adoption of a local ordinance is required to enact the recently passed state legislation that allows for the retail sale of alcoholic beverages between the hours of 10 AM and Noon on Sundays. He said North Carolina ABC liquor stores would remain closed on Sundays and he responded to questions regarding the sampling of spirits and sales at county events, both of which he said would be allowed with proper permits and permissions.

Commissioner Beaumont spoke in opposition to the ordinance. He said he has significant reservations about opening the door to allowing Sunday morning alcohol

sales and cited several reasons, including safety. He questioned why the state ABC liquor stores would remain closed on Sunday.

Commissioners Hall and White each spoke in support of the ordinance. Commissioner Hall cited our uniqueness as a tourist destination and Commissioner White noted the opportunity for businesses to increase revenue.

Commissioner Etheridge said although personally not in favor, she was elected to represent constituents and had received calls asking for her to support the extended hours.

Commissioner Payment commented that individuals and businesses can determine whether they want to consume or sell alcohol during the extended hours and that the change would not compel him to do so.

Commissioner Gilbert said she had also received calls from people in favor of the extended hours, particularly for retail store sales rather than consumption.

After discussion, Commissioner Hall moved to adopt the ordinance as presented. The motion was seconded by Commissioner White resulting in the ordinance passing its first reading with a vote of 6-1. Commissioner Beaumont voted against adoption. The ordinance required a unanimous vote for adoption at a first reading and will be placed on the August 7, 2017, Board meeting agenda for a second reading.

RESULT:	ORDINANCE PASSED FIRST READING [6 TO 1]	Next: 8/7/2017 6:00 PM
MOVER:	Mike D. Hall, Commissioner	
SECONDER:	Bob White, Commissioner	
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner	
NAYS:	Paul M. Beaumont, Commissioner	

B) Board Appointments

1. Library Board of Trustees

Commissioner White nominated Kerry Engley to the Library Board. Commissioner Gilbert moved for approval. The motion was seconded by Commissioner Payment and passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

2. Senior Citizens Advisory

Commissioner Beaumont nominated David Myers to the Senior Citizens Advisory Board. Commissioner Gilbert moved for approval. The motion was seconded by Commissioner Payment and passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

C) Consent Agenda

Commissioner Gilbert moved for approval of the Consent Agenda. Commissioner Beaumont seconded and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Paul M. Beaumont, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

1) Approval Of Minutes for June 19, 2017

1. BOC Minutes for June 19, 2017

2. Resolution Requesting NCDOT Perform a Speed Limit Study-Brumsey Road

RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS REQUESTING A SPEED LIMIT STUDY ON BRUMSEY ROAD, LOCATED OFF OF TULLS CREEK ROAD, MOYOCK

WHEREAS, Currituck County has received citizen concerns regarding the current speed limit on Brumsey Road considering the increased presence of children in the area; and

WHEREAS, the Currituck County Board of Commissioners believes that a study should be performed to

determine whether the current posted speed limit of 35 MPH is safe and appropriate.

NOW THEREFORE BE IT RESOLVED by the Currituck County Board of Commissioners that Currituck County requests the North Carolina Department of Transportation to conduct a study to determine whether the speed limit on Brumsey Road should be reduced.

ADOPTED the 17th day of July, 2017.

ATTEST:

Bobby Hanig, Chairman

Leeann Walton, Clerk to the Board

(COUNTY SEAL)

3. Settlement of Delinquent Taxes for FY 2016-17

4. Report of Insolvents and Resolution Approving the Settlement with the Tax Collector for Insolvents

5. Sole Source Purchase Mueller System

RESOLUTION AUTHORIZING THE PURCHASE OF HERSHEY METER/HOT ROD AMRs FROM MUELLER SYSTEMS/FORTILINE THROUGH SOLE SOURCE PURCHASE

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, Mueller Systems is the owner of Hershey Meter/Hot Rod AMR water meters and accessory equipment; and

WHEREAS, Mueller Systems only issues one distributor the authority to sell its products within a state and Fortiline is the sole supplier in North Carolina; and

WHEREAS, Hershey Meters/Hot Rod AMR water meters and accessory equipment are used by Southern Outer Banks Water System and Mainland Water; and

WHEREAS, the acquisition of Hershey Meters/Hot Rod AMR water meters and accessory equipment from Mueller Systems/Fortiline will assure standardization and compatibility of the parts used by the Southern Outer Banks Water System and Mainland Water and is the only source of needed and required water meters;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina as follows:

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$323,226.51 with Mueller Systems/Fortiline for the sole source purchase of Hershey Meter/Hot Rod AMR water meters and accessory equipment in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Mueller Systems/Fortiline for the acquisition apparatus, materials and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the ____th day of July, 2017.

Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

(COUNTY SEAL)

D) Commissioner's Report

Commissioner Beaumont discussed his experience as he recently dropped his son off to begin his service in the Marine Corps. He asked that everyone keep our servicemen in their thoughts and prayers.

E) County Manager's Report

No report.

CLOSED SESSION

1. Amended Item-Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and in order to preserve the Attorney-Client privilege

Chairman Hanig moved the Board into Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney and in order to preserve the attorney-client privilege.

ADJOURN

Motion to Adjourn Meeting

The Board returned from closed session and, with no further business, Commissioner Etheridge made a motion to adjourn. The motion was seconded by Commissioner Payment and passed unanimously, thus concluding the regular meeting of the Board of Commissioners at 7:10 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner



Currituck County

Planning and Community Development Department
Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055 FAX 252-232-3026

To: Board of Commissioners
 From: Planning Staff
 Date: July 17, 2017
 Subject: PB 17-04 Currituck County – 2017 Housekeeping Amendment

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO) as it relates to:

- Item 1 Modifies Planning Board appointments by the Board of Commissioners.
- Item 2 Corrects the North Carolina Department of Environmental Quality (NCDEQ) department name change.
- Item 3 Corrects the appeal process for a notice of violation.
- Item 4 Provides driveway standards for double frontage lots.
- Item 5 Provides language for additional community meetings when development proposals and applications result in substantive revisions.
- Item 6 Clarifies the parking requirements for development that result in an increase in the number of bedrooms.
- Item 7 Corrects language to be consistent with the model flood ordinance for mobile homes replaced in coastal high hazard areas (VE zones).
- Item 8 Corrects reference errors in Chapter 4 Use Standards and Chapter 10 Definitions and Measurement for Gasoline Sales, Home Occupations, Land Application of Sludge or Septage, Outdoor Storage, and Outdoor Display and Sales.

Planning Board Recommendation:

Shay Ballance motioned to recommend approval as presented by staff. Mr. O'Brien seconded the motion and the motion carried unanimously.

Planning Board Discussion (6/13/17)

Donna Voliva presented the staff report for the Currituck County 2017 Housekeeping Amendment which clarifies and revises miscellaneous sections of the Unified Development Ordinance (UDO).

Chairman Bell asked for questions from the board.

With no questions, Chairman Bell entertained a motion.

Shay Ballance motioned to recommend approval as presented by staff. Mr. O'Brien seconded the motion and the motion carried unanimously.

PB 17-04
CURRITUCK COUNTY

Amendment to the Unified Development Ordinance Chapter 2 Administration, Chapter 4 Use Standards, Chapter 5 Development Standards, Chapter 7 Environmental Protection, Chapter 9 Enforcement, and Chapter 10 Definitions and Measurement.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1: That Chapter 2. Administration is amended by adding the following underlined language and deleting the struck-through language:

2.2.3. Planning Board

B. Membership, Appointment, and Terms of Office

(1) General

- (a)** The Planning Board shall consist of ~~a total of nine~~ seven regular-members appointed by the Board of Commissioners. Each County Commissioner may appoint one member from any electoral district in the county, two of which shall be at-large members. ~~The remaining two members shall be designated as at-large appointees by the entire Board of Commissioners. One shall reside on the mainland. The other shall reside on the Outer Banks.~~
- (b)** Planning Board members shall reside within the county. A change in residence to a location outside the county shall constitute a resignation from the Planning Board, effective upon the date a replacement is appointed.
- (c)** Planning Board members shall be appointed for two-year staggered terms, and may continue to serve until their successors are appointed.
- (d)** Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term only.

Item 2: That Chapter 4. Use Standards and Chapter 10. Definitions and Measurement are amended by adding the following underlined language and deleting the struck-through language:

4.2.3. Institutional Uses

K. Wind Energy Facility, Large

(15) Environmental Review Required

An application for a large wind energy facility shall require review by ~~NCDENR~~, NCDEQ USACOE, the US Fish and Wildlife Service, and the NC Wildlife Resources Commission. All comments from these agencies shall be included with the application.

4.2.5. Industrial Uses

A. Extractive Industry

(ii) Monitoring Wells

Monitoring wells may be required for mining activities with dewatering operations when an existing in use well, pond, or a source of salt water intrusion is within a 1,500 foot radius of the excavation area. A plan shall be provided outlining groundwater monitoring strategies which demonstrates the effects of pumping. Monitoring well requirements shall include the following:

- (A) Monitoring wells to assess hydrogeological conditions shall be constructed to comply with the provisions of ~~NCDENR~~ NCDEQ rule 15A NCAC 02C – Well Construction Standards.
- (B) Install to a depth equal to the maximum depth of the mine dewatering operation.

(C) Monitoring wells shall be located between the excavation area and the in use wells or pond and located as close as possible to the mine property line. In no instance shall the monitoring well be located closer than one-third the distance from the in use well to the mine. In some instances, it may be necessary to install the well on adjacent properties, in which case a well construction permit will be required through ~~NCDENR~~ NCDEQ.

10.2 TABLE OF ABBREVIATIONS

TABLE 10.2: ABBREVIATIONS	
ABBREVIATION	ASSOCIATED TERM
NCDENR or DENR	North Carolina Department of Environment and Natural Resources <u>Environmental Quality</u>
<u>NCDEQ or DEQ</u>	

10.5 DEFINITIONS

CAMA

North Carolina's Coastal Area Management Act. This act, along with the Dredge and Fill Law and the federal Coastal Zone Management Act, is managed through North Carolina Department of ~~Environment and Natural Resources~~ (~~NCDENR's~~) Environmental Quality's Division of Coastal Management (DCM).

Item 3: That Chapter 9. Enforcement is amended by adding the following underlined language and deleting the struck-through language:

9.6.2.

Civil Penalties

A. General

In addition to the other remedies cited in this Ordinance for the enforcement of its provisions, the standards in this Ordinance may be enforced through the issuance of civil penalties.

B. Citation

Violation of this Ordinance subjects the violator to a civil penalty. To impose a civil penalty, the Planning Director shall first provide the violator a written citation, either by mail or personal service. The citation shall describe the violation, specify the amount of the civil penalty being imposed, and direct the violator to correct the violation and pay the civil penalty to the county within a stated time period. Unless otherwise specified, each day's continuing violation of any provision of this Ordinance shall be separate and distinct offense.

C. Amount of Civil Penalty

The amount of civil penalties for violations of this Ordinance shall not exceed a maximum amount of \$500 per day for each day the violation continues.

D. Recovery of Civil Penalty

- (1) If the violator fails to pay the civil penalty within ten days of the citation, the county may recover the penalties in a civil action in the nature of debt.
- (2) A civil penalty may not be appealed to the Board of Adjustment. ~~if the appeal is not filed within the time period specified in the citation.~~

Item 4: That Chapter 5. Development Standards is amended by adding the following underlined language:

5.6.7. Driveway and Access Standards

A. General Standards

- (7) Driveways on corner and double frontage lots shall provide access from the street with less traffic to the maximum extent practicable.

Item 5: That Chapter 2. Administration is amended by adding the following underlined language and deleting the struck-through language:

2.3.3. Community Meeting

A. Purpose

The purpose of the community meeting is to inform owners and occupants of nearby lands about a proposed development application that is going to be reviewed under this Ordinance, and to provide the applicant an opportunity to hear comments and concerns about the development proposal as a means of resolving conflicts and outstanding issues, where possible.

B. Favored Practice

Community meetings are encouraged as opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by development proposals.

C. Applicability

(1) Community Meeting Mandatory

A community meeting is required before submittal of any of the following applications:

- (a) Zoning map amendments to establish a more intense base zoning district;
- (b) Conditional rezonings;
- (c) Planned developments;
- (d) Use permits; and

- (e) Type II preliminary plats (for major subdivision) of 50 lots or more.

(2) Community Meeting Optional

A community meeting is encouraged, but not required, before submittal of any other development application that is subject to a public hearing (see Table 2.3.6.A, Required Public Hearings).

D. Procedure

If a community meeting is held by the applicant, it shall comply with the following procedures:

(1) Time and Place

The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the application.

(2) Notification

(a) Mailed Notice

The applicant shall mail notice of the meeting a minimum of ten days in advance of the meeting to the Planning Director and all persons to whom mailed notice of a public hearing on the development application is required by Section 2.3.6, Public Hearing Scheduling and Public Notification.

(b) Posted Notice

The applicant shall post notice of the community meeting on the land subject to the application for at least ten days before the date fixed for the meeting, in a form established by the Planning Director. Signs used for posted notice shall have a minimum size of six square feet per side.

(c) Notice Content

Notices shall identify the date, time, and place of the meeting and applicant contact information.

(3) Conduct of Meeting

At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to questions and concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.

(4) Staff Attendance

County staff shall attend the meeting for the purpose of advising attendees about applicable provisions of this Ordinance and the land use plan, but shall not serve as facilitators or become involved in discussions about the development proposal.

(5) Written Summary of Community Meeting

The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, discuss issues related to the development proposal, and any other information the applicant deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection.

(6) Response to Summary

Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Planning Director within 30 days after the application is determined complete. The response may state their understanding of attendee comments, discuss issues related to the development proposal, and include any other information they deem appropriate. All written responses to the applicant's summary of the community meeting shall be transmitted to the applicant, included with the application materials, and made available for public inspection.

(7) Additional Meetings

The applicant shall hold additional meetings to explain revised development proposals and applications that result in significant substantive revisions explained at a previous community meeting.

Item 6: That Chapter 5. Development Standards is amended by adding the following underlined language:

5.12. **Applicability**

A. **General**

These off-street parking and loading standards shall apply to all development in the county.

B. **Time of Review**

Review of proposed development to ensure compliance with the standards of this section shall occur at time of site plan (Section 2.4.7), planned development master plan (Section 2.4.5) zoning compliance permit (Section 2.4.9), or temporary use permit (see Section 2.4.11), whichever occurs first.

C. **Existing Development**

(1) **Change in Use**

Any change in use of an existing development shall provide the additional off-street parking and loading facilities required to comply with this section.

(2) **Expansion and Enlargement**

Any expansion or enlargement of an existing structure that will increase the number of units upon which the applicable parking standard is based (e.g., square feet, employees, dwelling units, seats, bedrooms) shall provide additional off-street parking, loading, and circulation facilities as required by application of these minimum off-street parking, loading, and circulation standards, unless exempted.

(3) **Nonconforming Parking or Loading Facilities**

Expansion or enlargement of an existing development on a site that does not comply with the standards of this section shall comply with the standards of Section 8.6, Nonconforming Sites.

D. Exemptions

The following activities are exempt from the requirements of this section:

- (1) Re-striping an existing parking lot which does not create a deficient number of parking spaces or nonconforming situation;
- (2) Expansion of a single-family or duplex dwelling that does not increase the number of bedrooms; and
- (3) Rehabilitation or re-use of an historic structure.

Item 7: That Chapter 7. Environmental Protection Standards is amended by adding the following underlined language and deleting the following struck-through language:

7.4.5. Flood Certificates / Certifications

All development within a special flood hazard area shall obtain all required flood certificates or certifications in accordance with this section and Table 7.4.5, Flood Certificates.

TABLE 7.4.5: FLOOD CERTIFICATES

CERTIFICATE TYPE	TYPE OF DEVELOPMENT SUBJECT TO REQUIREMENT	FLOOD ZONE WHERE REQUIRED	TIMING
Elevation Certificate	All residential and nonresidential development [1]	A, AE, VE, AEFW [3]	Under construction- required prior to scheduling rough in inspection; As-built – required prior to occupancy
Floodproofing	All nonresidential development		Prior to start of construction

TABLE 7.4.5: FLOOD CERTIFICATES

CERTIFICATE TYPE	TYPE OF DEVELOPMENT SUBJECT TO REQUIREMENT	FLOOD ZONE WHERE REQUIRED	TIMING
Certificate	with floor area below base flood elevation [1] [2]		
Foundation Certification	Manufactured home with chassis 36 inches or more above grade [4]	A, AE	Prior to issuance of building permit
Watercourse Alteration Certification	Development seeking to alter or relocate a watercourse	A, AE, AEFW, VE	Prior to floodplain development permit
V-Zone Certificate	All residential and nonresidential development	VE	Required as part of Building Permit

NOTES:

[1] Recreation vehicles, temporary structures, and accessory structures less than 150 square feet in area in the A and AE flood zones must comply with the standards of this section, but are exempted from elevation and flood-proofing certificate requirements

[2] Development subject to a floodproofing certificate is not required to obtain an elevation certificate

[3] Floodproofing is not permitted within the VE zone

[4] Manufactured homes are not permitted in the VE zone

7.4.6. Standards

B. Standards for Coastal High Hazard Areas (VE Zones)

(7) Allowed Uses

- (a) No manufactured homes shall be permitted in the coastal high hazard flood zone, except for replacement manufactured homes located in existing manufactured home parks and subdivisions permitted by this ordinance subject to the standards in Section 7.4.6.A.4.

- (b) Recreational vehicles are permitted in the coastal high hazard flood zone, subject to the standards in Section 7.4.6.A.7, Recreational Vehicles.

Item 8: That Chapter 4. Use Standards and Chapter 10 Definitions and Measurement is amended by adding the following underlined language and deleting the following struck-through Section and Table references for Gasoline Sales, Home Occupations, Land Application of Sludge or Septage, Outdoor Storage, and Outdoor Display and Sales:

<u>UDO Section</u>	<u>Amendment Request</u>
Section 4.2.4.H (1)(c)	4.3.3. <u>P.Q.</u>
Section 4.2.4.H.(2)(c)	4.3.3. <u>P.Q.</u>
Section 4.2.4.H.(3)(a)	4.3.3. <u>P.Q.</u>
Section 4.2.4.I.(2)(b)	4.3.3. <u>P.Q.</u>
Section 4.2.4.I.(2)(c)	4.3.3. <u>I.J.</u>
Section 4.2.5.B.(2)	4.3.3. <u>P.Q.</u>
Section 4.2.5.E.(6)(b)	4.3.3. <u>P.Q.</u>
Section 4.3.3.O.(1)	4.3.3. <u>N.O.</u>
Section 4.3.3.Q.(5)	4.3.3. <u>P.Q.</u>
Section 4.4.6.C.	4.3.3. <u>O.P.</u>
Section 10.4.3.A.(1)	4.3.3. <u>J.K.</u>

Item 9: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 10: This ordinance amendment shall be in effect from and after the ____ day of _____, 2017.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: 7 AYES 0 NAYS
.....
PLANNING BOARD DATE: 6/13/2017
PLANNING BOARD RECOMMENDATION: Approval
VOTE: 7 AYES 0 NAYS
ADVERTISEMENT DATE OF PUBLIC HEARING: 7/05/2017 & 7/16/2017
BOARD OF COMMISSIONERS PUBLIC HEARING: 7/17/2017
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____

**AN ORDINANCE OF THE
CURRITUCK COUNTY BOARD OF COMMISSIONERS
AMENDING CHAPTER 9, ARTICLE I OF THE CURRITUCK COUNTY CODE OF
ORDINANCES BY ADDING SECTION 9-9 TO ALLOW THE SALE OF MALT
BEVERAGES, UNFORTIFIED WINE, FORTIFIED WINE, AND MIXED BEVERAGES
ON SUNDAYS BEGINNING AT 10:00 A.M.**

WHEREAS, pursuant to N. C. Gen. Stat. Sect. §153A-145.7 a county may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 a.m. on Sunday pursuant to the licensed premises' permit issued under N. C. Gen. Stat. §18B-1001.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina as follows:

PART I. Chapter 9, Article I of the Code of Ordinances for Currituck County is amended by adding Section 9-9 to read as follows:

Sec. 9-9. Wine, Unfortified Wine, Fortified Wine, and Mixed Beverages On Sunday Mornings.

The sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is allowed within the boundaries of the county on Sundays beginning at 10:00 a.m. pursuant to the licensed premises' permit issued under G. S. 18B-1001.

PART II. All ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance is effective upon its adoption.

ADOPTED this 7th day of August, 2017.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

(COUNTY SEAL)

Leeann Walton
Clerk to the Board of Commissioners

APPROVED AS TO FORM:

Donald I. McRee, Jr.
County Attorney

Date adopted: _____

Motion to adopt by Commissioner _____

Second by Commissioner _____

Vote: ____ AYES ____ NAYS

LIBRARY BOARD OF TRUSTEES
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Shelly Haskell	District 1	Does not wish to serve a second term-do not reappoint	Bob White	6/17/2013	1st 6/30/2017
Madolin Rose Kelly	District 2		Bobby Hanig	6/19/2017	1st 6/30/2019
Colleen Umphlett	District 3		Mike Payment	6/19/2017	2nd 6/30/2019
Leigh Dix	District 4		Paul Beaumont	3/6/2017	Unexp 6/30/2018
Stacy Vasquetellas	District 5		Marion Gilbert	6/19/2017	2nd 6/30/2019
George Gregory	At-Large		Mike Hall	6/17/2013	2nd 6/30/2017
Tom Oakes	At-Large		Kitty Etheridge	7/18/2016	2nd 6/30/2018
Must Be Replaced					

SENIOR CITIZEN ADVISORY BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Cindy Scott	District 1		Bob White	3/6/2017	1st 2/1/2019
Rita Ferebee	District 2		Bobby Hanig	3/7/2016	1st 2/1/2018
Janet Lovell	District 3		Mike Payment	2/6/2017	1st 2/1/2019
Doris Ballance	District 4		Paul Beaumont	10/7/2013	2nd 2/1/2017
Mary Ellen Maxwell	District 5		Marion Gilbert	4/3/2017	Unexp 2/1/2018
Marcia Steele	At-Large		Mike Hall	1/19/16	2nd 2/1/2018
Joanne DiBello	At-Large		Kitty Etheridge	1/4/2016	2nd 2/1/2018

Must be replaced

Commissioner Etheridge Serves on this Board



**CURRITUCK COUNTY
NORTH CAROLINA**

June 19, 2017
Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 5:00 PM Parks Regulations and Usage Ordinance Review

The Currituck County Board of Commissioners attended a work session at 5 PM in the Conference Room of the Historic Courthouse. Tameron Kugler, Tourism Director, reviewed changes proposed to the ordinance related to park usage. After review, Board members provided additional input and further revised some aspects of the ordinance which included to allow uncased firearms at boat launches during hunting activity, allowing dogs at county parks with certain conditions, and prohibiting commercial activity to commence or terminate at Historic Corolla Park outside of a sanctioned event. ATV permits were discussed with proposed changes to standardize issuance requirements for resident and non-resident property owners. County Attorney, Ike McRee, will revise the language and present for Board review and consideration.

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners held its regular meeting at 6 PM in the Board Meeting Room of the Historic Currituck Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	Present	
Paul M. Beaumont	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Marion Gilbert	Commissioner	Present	
Mike D. Hall	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Hanig called the meeting to order.

A) Invocation & Pledge of Allegiance-Reverend Kim Ferebee, St. Mark Church of Christ Disciples

Reverend Kim Ferebee was present to offer the Invocation and lead the Pledge of Allegiance.

B) Approval of Agenda

The agenda was amended to include a closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: Letendre v. Currituck County.

Commissioner White moved to approve the agenda. The motion was seconded by Commissioner Payment and carried unanimously.

Approved agenda:

Work Session

5:00 PM Parks Regulations and Usage Ordinance Review

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Reverend Kim Ferebee,
St. Mark Church of Christ Disciples

B) Approval of Agenda

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Public Hearings

A) PB 17-05 Consideration of the Moyock Mega-Site Master Plan

Old Business

A) Consideration of Resolution and Order Closing Old U. S. Highway 158, Also Known As Secondary Road 1405 and Old Ferry Landing, Coinjock, Poplar Branch Township

B) PB 13-12 Moyock Commons, Phase 1-Order of Entry

New Business

A) **Board Appointments**

1. Animal Services and Control Advisory
2. Board of Adjustment
3. Fire Advisory Board

4. Game Commission
5. Library Board of Trustees
6. Recreation Advisory

B) Consent Agenda

1. Approval Of Minutes for June 5, 2017
2. Budget Amendments
3. Personnel Policy Revision-Insurance Benefits
4. Request for Approval-Turnout Gear Purchase-Carova Beach VFD
5. Strategic Alliance Agreement between the YMCA and Currituck County-Alpine Tower

C) Commissioner's Report

D) County Manager's Report

Recess

Special Meeting of the Tourism Development Authority

Budget Amendments

Closed Session

Amended Item: Closed Session Pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: Letendre v. Currituck County

Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

PUBLIC COMMENT

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Chairman Hanig opened the public comment period.

Michael Carter of Moyock spoke in favor of the Moyock Mega-site project. He said commercial development will allow him to spend money here in the county and provide support for the local community.

Jennifer Knight of Chesapeake spoke against the Moyock Mega-site project citing possible negative impacts to Virginia. She asked the Board to change the location of the site.

No one else wished to speak and the public comment period was closed.

PUBLIC HEARINGS

A. PB 17-05 Consideration of the Moyock Mega-Site Master Plan

Assistant Planning Director, Laurie LoCicero, provided a brief background on the mega-site master plan and introduced Carroll Collins of Kimley Horn and Associates, the plan's design firm. Using a powerpoint, Mr. Collins provided an overview, displayed a proposed land use map and discussed the various uses incorporated into the plan such as medical, residential, offices, industrial and retail. He addressed the inclusion of a stormwater plan and discussed the wetlands demarcations on the map. Conceptual plan drawings were shown to demonstrate how certain zoning sections may look when developed. Gateway and transportation models were reviewed. Unified Development Ordinance (UDO) revisions and updates related to zoning and land uses were discussed, as well as other steps needed to move forward with the master plan.

Mr. Carroll and Ms. LoCicero responded to questions and clarified aspects of the plan for the Board. Mr. Collins explained the importance of the mega-site plan, as it will attract businesses because it demonstrates the county's commitment to long-term planning and infrastructure investment.

Commissioners discussed new home census projections, schools, landowner development agreements and development phasing as it relates to land values, and transportation projects associated with the mega-site plan. Mr. Collins agreed to provide the Board with a timeline for improvements to South Mills Road, currently under design by the North Carolina Department of Transportation (NCDOT). He spoke of the need to have building design guidelines and standards in place and expects UDO revisions to be completed in nine to twelve months.

Chairman Hanig opened the Public Hearing.

Jennifer Knight of Chesapeake asked about the wetland surveys mentioned during the presentation and Mr. Scanlon said wetland delineations would be performed and signed off by the Army Corp of Engineers as part of the process.

Denise Hall of Moyock asked if Virginia or Chesapeake representatives notified the county or asked for county input prior to developing nearby areas in Virginia. Mr. Scanlon said no, they did not contact the county.

With no others wishing to speak Chairman Hanig closed the Public Hearing.

Commissioner Payment made a motion to adopt the Moyock Megasite Master Plan and move forward with next steps. The motion was seconded by Commissioner White and passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike H. Payment, Vice Chairman
SECONDER:	Bob White, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

OLD BUSINESS

A. Consideration of Resolution and Order Closing Old U. S. Highway 158, Also Known As Secondary Road 1405 and Old Ferry Landing, Coinjock, Poplar Branch Township

County Attorney, Ike McRee, reviewed for the Board the applicant's request for a second continuance regarding the road closure to allow property owners to continue to work with engineers and surveyors to determine title. With the applicant having no issues with a continuance, Commissioner Payment made a motion to remove the order of business until the applicants are ready to move forward. Commissioner Hall seconded and the motion carried unanimously.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Mike H. Payment, Vice Chairman
SECONDER:	Mike D. Hall, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

B. PB 13-12 Moyock Commons, Phase 1-Order of Entry

ORDER GRANTING USE PERMIT PB 13-12 MOYOCK COMMON,
PHASE 1 BOARD OF COMMISSIONERS JUNE 5, 2017

This matter came on for hearing before the Currituck County Board of Commissioners on March 20, 2017 and June 5, 2017. Based on the evidence presented the Board of Commissioners makes the following findings, conclusions, and enters its order as follows:

Item 1: The use permit is hereby granted for Moyock Commons, Phase 1, located in Moyock, Tax Map 15, Lot 79, Moyock Township.

Item 2: The preliminary plat/use permit meets the use permit review standards according these findings of fact:

- a. The use will not endanger the public health or safety.
 - o THE PROJECT WOULD NOT ADVERSELY AFFECT PUBLIC SAFETY. IN COMPLIANCE WITH PRELIMINARY PLAT REVIEW COMMENTS FROM THE ALBEMARLE REGIONAL HEALTH SERVICES APPROVALS FOR WASTEWATER TREATMENT AND DISPOSAL FROM THE NC DIVISION OF WATER QUALITY (WASHINGTON OFFICE) AND MOYOCK REGIONAL WATER SYSTEM WOULD BE OBTAINED PRIOR TO CONSTRUCTION.
 - o THIS PROJECT WOULD NOT ADVERSELY AFFECT PUBLIC SAFETY. ALL STATE AND COUNTY APPROVALS WOULD BE OBTAINED PRIOR TO CONSTRUCTION.
- b. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

- ALONG THE WEST BOUNDARY (BOUNDARY PARALLEL TO PUDDIN RIDGE ROAD), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY A RURAL RESIDENTIAL UNIT LOCATED WITHIN THE MOYOCK SUB-AREA WHICH FRONTS ON PUDDIN RIDGE ROAD. WITHIN MOYOCK COMMONS, PROPOSED LAKE #1 AND A 25-LF WIDE TREE AREA COMBINE TO CREATE AN APPROXIMATE 400-LF WIDE CONSERVATION AREA BUFFER AGAINST THE RESIDENTIAL UNIT.
 - ALONG THE NORTH-EAST BOUNDARY (BOUNDARY PARALLEL TO ROUTE 168), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY VARIOUS USES CONSISTING OF 5-RESIDENTIAL LOTS WITHIN THE MOYOCK SUB-AREA; AND VARIOUS PARCELS ZONED GENERAL BUSINESS WHICH ARE USED FOR RETAIL AND UTILITY RELATED OPERATIONS WITH THE MOYOCK SUB-AREA. WITHIN MOYOCK COMMONS, PROPOSED LAKE #2 AND A VARIOUS WIDTH TYPE-A, LANDSCAPE BUFFER WOULD CREATE A CONSERVATION AREA AGAINST THE ADJACENT USES.
 - ALONG THE EAST BOUNDARY, MOYOCK COMMONS WOULD BE BORDERED BY ACTIVE, AGRICULTURAL PROPERTY.
 - ALONG THE SOUTH-EAST BOUNDARY (BOUNDARY PARALLEL TO QUAIL RUN ROAD), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY VARIOUS USES CONSISTING OF DENSE FOREST AND ACTIVE, AGRICULTURAL PROPERTY. WITHIN MOYOCK COMMONS, A VEGETATED FARM BUFFER IS PROPOSED ALONG THE ACTIVE AGRICULTURAL PROPERTY.
 - MOYOCK COMMONS PROPOSED INGRESS/EGRESS IS VIA EXTENSION OF EXISTING MOYOCK COMMONS DRIVE. A ROADWAY CONNECTION TO E STREET IS NOT PERMITTED.
- c. The use will be in conformity with the Land Use Plan or other officially adopted plans.

2006 Land Use Plan policies:

- POLICY HN1: CURRITUCK COUNTY SHALL ENCOURAGE DEVELOPMENT TO OCCUR AT DENSITIES APPROPRIATE FOR THE LOCATION.
- POLICY HN2: THE COUNTY SHALL THEREFORE ENGAGE ALTERNATIVES TO LARGE LOT DEVELOPMENTS THOUGH INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING TECHNIQUES.
- POLICY HN3: CURRITUCK COUNTY SHALL ESPECIALLY ENCOURAGE TWO FORMS OF RESIDENTIAL DEVELOPMENT, EACH WITH THE OBJECTIVE OF AVOIDING TRADITIONAL SUBURBAN SPRAWL:
 - OPEN SPACE DEVELOPMENTS THAT CLUSTER HOMES ON LESS LAND, PRESERVING PERMANENTLY DEDICATED OPEN SPACE AND OFTEN EMPLOY ON-SITE OR COMMUNITY SEWAGE TREATMENT. THESE TYPES OF DEVELOPMENTS ARE LIKELY TO OCCUR PRIMARILY IN THE CONSERVATION, RURAL, AND TO A CERTAIN EXTENT THE LIMITED SERVICE AREAS IDENTIFIED ON THE LAND USE MAP.
- POLICY HN8: TO PROTECT THE COUNTY'S TAX BASE AND TO ENSURE THE LONG-TERM VIABILITY OF THE COUNTY'S NEIGHBORHOODS AND HOUSING STOCK, THE COUNTY WILL CONTINUE TO ENFORCE APPROPRIATE CONSTRUCTION AND SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL DEVELOPMENTS. SUCH STANDARDS MAY INCLUDE, FOR EXAMPLE, THAT ALL HOMES HAVE A PERMANENT MASONRY FOUNDATION (EXCEPT WHERE FLOOD LEVELS REQUIRE ELEVATION) AND A PITCHED ROOF AND OVERHANG, AND THAT LOCAL ROADS MUST BE BUILT TO MEET NCDOT ACCEPTANCE STANDARDS.
- POLICY TR8: LOCAL STREETS SHALL BE DESIGNED AND BUILT TO ALLOW FOR CONVENIENT CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS AND TO ENCOURAGE MOBILITY BY PEDESTRIANS AND BICYCLISTS. CARE SHALL BE TAKEN TO ENCOURAGE LOCAL STREET "CONNECTIVITY" WITHOUT CREATING OPPORTUNITIES FOR CUT-THROUGH TRAFFIC FROM OUTSIDE THE CONNECTED AREAS
- POLICY TR12: NEW RESIDENTIAL DEVELOPMENTS SHALL PROVIDE FOR THE INSTALLATION OF PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE AT THE TIME OF DEVELOPMENT. THIS POLICY IS INTENDED TO PREVENT THE CREATION OF SUBSTANDARD DEVELOPMENTS THAT MUST LATER CORRECT FOR INFRASTRUCTURE PROBLEMS THAT COULD HAVE BEEN AVOIDED, HAD THEY BEEN INSTALLED PROPERLY FROM THE BEGINNING.
- POLICY WS3: CURRITUCK COUNTY ENDORSES UTILITIES EXTENSION POLICIES THAT FOCUS WATER AND SEWER SERVICES (1) WITHIN EXISTING DEVELOPED AREAS AND IN

NEARBY TARGETED GROWTH AREAS IDENTIFIED AS FULL SERVICE AND LIMITED SERVICE AREAS, (2) WHERE DEVELOPMENT DENSITIES WOULD MAKE THE PROVISION OF ALL PUBLIC SERVICES MORE EFFICIENT, (3) WHERE THE LAND IS PARTICULARLY WELL SUITED FOR DEVELOPMENT, AND (4) AWAY FROM ENVIRONMENTALLY SENSITIVE AREAS.

- POLICY PR6: ALL NEW RESIDENTIAL DEVELOPMENT SHALL PROVIDE FOR ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS INCLUDING, AS MAY BE APPROPRIATE, FUNDING IN PROPORTION TO THE DEMAND CREATED BY THE DEVELOPMENT. THE AMOUNT OF OPEN SPACE AND IMPROVEMENTS MAY BE DETERMINED ACCORDING TO THE NUMBER OF DWELLING UNITS IN THE DEVELOPMENT AND/OR BY A PERCENTAGE OF THE TOTAL ACREAGE IN THE DEVELOPMENT. FEES IN LIEU OF LAND DEDICATION SHALL BE BASED ON THE INFLATION ADJUSTED ASSESSED VALUE OF THE DEVELOPMENT OR SUBDIVISION FOR PROPERTY TAX PURPOSES.
- POLICY WQ3: CURRITUCK COUNTY SUPPORTS POLICIES, PLANS, AND ACTIONS THAT HELP PROTECT THE WATER QUALITY OF THE COUNTY'S ESTUARINE SYSTEM BY PREVENTING SOIL EROSION AND SEDIMENTATION, AND BY CONTROLLING THE QUANTITY AND QUALITY OF STORMWATER RUNOFF ENTERING THE ESTUARY.
- POLICY WQ4: RUNOFF AND DRAINAGE FROM DEVELOPMENT, FORESTRY, AND AGRICULTURAL ACTIVITIES SHALL BE OF A QUALITY AND QUANTITY AS NEAR TO NATURAL CONDITIONS AS POSSIBLE. POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED PRE-DEVELOPMENT VOLUMES.
- POLICY WQ5: DEVELOPMENT THAT PRESERVES THE NATURAL FEATURES OF THE SITE, INCLUDING EXISTING TOPOGRAPHY AND SIGNIFICANT EXISTING VEGETATION, SHALL BE ENCOURAGED. IF COASTAL AND NON-COASTAL WETLANDS ARE CONSIDERED PART OF THE LOT'S ACREAGE FOR THE PURPOSE OF DETERMINING MINIMUM LOT SIZE OR DEVELOPMENT DENSITY, LOW IMPACT DEVELOPMENT TECHNIQUES OR APPROPRIATE BUFFERS SHALL BE INTEGRATED INTO THE DEVELOPMENT. OPEN SPACE DEVELOPMENTS SHALL BE ENCOURAGED TO REDUCE IMPERVIOUS SURFACE AREAS ASSOCIATED WITH NEW DEVELOPMENT AND REDEVELOPMENT.
- POLICY WQ7: THE ENVIRONMENTAL BENEFITS OF PROPERLY DESIGNED, VEGETATED ROADSIDE DRAINAGE SWALES SHALL BE RECOGNIZED. CURB AND GUTTER SHALL BE RESERVED TO DEVELOPMENTS THAT ARE URBAN IN CHARACTER AND THAT ARE SERVED BY ADEQUATE STORMWATER COLLECTION, RETENTION, AND SLOW RELEASE FACILITIES.
- POLICY CA6: TO FOSTER AN IMPROVED COMMUNITY APPEARANCE, PROMOTE PUBLIC SAFETY, AND HELP PREVENT SERVICE OUTAGES, THE PLACEMENT OF UTILITY WIRES UNDERGROUND SHALL BE ENCOURAGED IN ALL PUBLIC AND PRIVATE DEVELOPMENTS.

Moyock Small Area Plan policy and statements:

- POLICY FLU1: PROMOTE COMPATIBILITY BETWEEN NEW DEVELOPMENT AND EXISTING DEVELOPMENT TO AVOID ADVERSE IMPACTS TO THE EXISTING COMMUNITY. THIS IS ACHIEVED THROUGH DESIGN, AND INCLUDES LARGER SETBACKS, LANDSCAPED OR FORESTED STRIPS, TRANSITION ZONES, FENCING, SCREENING, DENSITY AND/OR BULK STEP DOWNS, OR OTHER ARCHITECTURAL AND SITE PLANNING MEASURES THAT ENCOURAGE HARMONY.
 - THE MOYOCK AREA IS THE FASTEST GROWING PART OF CURRITUCK COUNTY. DEVELOPMENT DENSITIES CURRENTLY RANGE FROM 1 TO 3 UNITS PER ACRE DEPENDING UPON DEVELOPMENT TYPE. IT IS COMING UNDER INCREASING DEVELOPMENT PRESSURE AS A "BEDROOM COMMUNITY" FOR THE TIDEWATER AREA OF VIRGINIA.
 - "...HOWEVER, IN AREAS WHERE CENTRAL SEWER IS PROPOSED OR EXISTING, ADDITIONAL SERVICES ARE AVAILABLE AND THE CHARACTER OF THE SURROUNDING AREAS SUPPORTS IT, HIGHER DENSITY RANGING FROM 3-4 UNITS PER ACRE COULD BE CONSIDERED THROUGH THE USE OF OVERLAY ZONES.
 - CLUSTERED HOUSING DEVELOPMENTS WITH OPEN SPACE REQUIRED BY ORDINANCE WILL NEED TO BE ENCOURAGED.
- d. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

- CURRITUCK COUNTY HAS ADEQUATE PUBLIC FACILITIES TO SERVE THE PROPOSED SUBDIVISION.

Item 3: The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands are:

- a. Provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is required prior to filling any wetlands. If a fill permit is not issued, the wetland areas must be placed into a primary conservation area.
- b. Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance. Therefore the entirety of Moyock Commons Drive (from the subject property line to Caratoke Highway - approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat.
- c. ALL CONDITIONS PLACED ON THE PROPERTY THROUGH THE CONDITIONAL REZONING APPROVAL ARE INCORPORATED INTO THIS REQUEST AS FOLLOWS:
 - Minimum rear yard setback for all residential lots along the perimeter boundary shall be as shown on plan. These setbacks shall apply to all principal uses but shall not apply to fences or accessory structures. In no instance shall setbacks be less than allowed by the UDO.
 - Prior to any land disturbing activities within the development, the property owner shall conduct a tree inventory plan as required by Section 7.2 of the UDO. The purpose of said plan shall be to identify the number and location of any heritage trees present and the methods by which they will be preserved.
 - An effort shall be made to work with the owner of the existing commercial shopping center to extend a sidewalk from the proposed development to the shopping center.
 - The property shall be developed in accordance with the Conceptual Development Plan dated December 26, 2013.
 - On-street parking shall be prohibited by the provision of signage.
 - The location of rights-of-way, open space areas, setbacks, and stormwater management areas shall be as generally shown on the approved conceptual development plan.
 - Stormwater management for the improvements resulting from this application shall not exceed pre-developed discharge rates as allowed by ordinance. Such improvements shall be identified by means of a preliminary drainage impact study to be provided by the developer and approved by the county prior to submittal of the preliminary subdivision plat. As an alternative, at the developer's discretion, downstream improvements to include ditch regarding and cleaning, piping and the purchase of any required easements for the conveyance of stormwater may be accomplished in accordance with a county approved plan.
 - All residential dwellings shall be constructed either with crawl spaces or on raised slabs (finished floor at least 16 inches above outside ground grade).
 - The use of prefabricated structures or trailers as dwellings shall be strictly prohibited.

Item 4: The use permit shall automatically expire if a submittal of a complete application for approval of a final plat is not received by June 5, 2019

Item 5: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 6: This use permit shall be in effect from and after the 5th day of June, 2017.

IN WITNESS WHEREOF, the county has caused this use permit to be approved in its name.

ATTEST:

(Seal)

Clerk to the Board

Chairman
Board of Commissioners

Date

Laurie LoCicero, Assistant Planning Director, reviewed the progression of the request through the Board meeting of June 5, 2017, when staff was asked to compose the Order of Entry for approval of PB 13-12, Moyock Commons. Ms. LoCicero responded to Board questions and clarified conditions within the order, including those related to road improvements and traffic safety. Mr. McRee reviewed the quasi-judicial nature of the item and the evidence which the board is allowed to consider and explained the issuance of a permit is due to those applicants who meet evidence requirements.

Commissioner Etheridge made a motion to accept PB 13-12: Moyock Commons, Phase 1, Order of Entry. Commissioner White seconded the motion which passed by a vote of 6-1, with Commissioner Gilbert voting against.

RESULT:	APPROVED [6 TO 1]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Bob White, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
NAYS:	Marion Gilbert, Commissioner

NEW BUSINESS

A) Board Appointments

1. Animal Services and Control Advisory

Chairman Hanig moved to approve reappointments for Nancy VanCleif and Laura Hill. Commissioner Etheridge seconded and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bobby Hanig, Chairman
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

2. Board of Adjustment

Commissioner Etheridge nominated Troy Breathwaite to serve as an alternate, filling an unexpired term on the Board of Adjustment. Commissioner Gilbert seconded and the nominee was unanimously approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Marion Gilbert, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

3. Fire Advisory Board

Chairman Hanig made the following nominations to the Fire Advisory:

Reappointment of Fire and EMS Chief Ralph Melton
 Reappointment of Fire Chief Brooks Hart
 Fire Chief Robert Pervere to a full term, filling a vacant consensus seat.

Commissioner Gilbert moved for approval and was seconded by Commissioner Payment. The nominees were unanimously approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

4. Game Commission

The following names were presented for consideration to serve on the Game Commission:

Commissioner Etheridge nominated James Cason, Jr.
 Commissioner Gilbert nominated Richard Bell for reappointment.
 Commissioner Beaumont nominated Rob Romm.

Commissioner Payment moved for approval of nominees. The motion was seconded by Commissioner Hall and passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike H. Payment, Vice Chairman
SECONDER:	Mike D. Hall, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

5. Library Board of Trustees

The following were nominated to serve on the Library Board of Trustees:

Commissioner Gilbert nominated Stacy Vasquetellas for reappointment.
 Commissioner Payment nominated Colleen Umphlett for reappointment.
 Chairman Hanig nominated Rose Kelly.

Commissioner Beaumont made a motion for approval. The motion was seconded by Commissioner Etheridge and all nominees were unanimously approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Commissioner
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

6. Recreation Advisory

Chairman Hanig moved to appoint Liz Turner as a member of the Recreation Advisory Board. Commissioner Gilbert seconded the motion and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bobby Hanig, Chairman
SECONDER:	Marion Gilbert, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

B) Consent Agenda

Commissioner Gilbert moved to approve the consent agenda. Commissioner Beaumont seconded the motion and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Paul M. Beaumont, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

1) Approval Of Minutes for June 5, 2017

1. Approval of BOC Minutes for June 5, 2017

2. Budget Amendments

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10450-506000	Insurance Expense		\$ 39
10450-514000	Travel	\$ 175	
10450-514800	Fees Paid to Officials		\$ 400
10450-545450	Motor Vehicle Tax Fees	\$ 16,000	
10310-400100	Vehicle Tax Collected by DMV		\$ 15,736
		\$ 16,175	\$ 16,175
Explanation:	Tax (10450) - Increase appropriations for administrative fees paid to NC Dept of Revenue for collection of motor vehicle taxes for the remainder of this fiscal year and transfers for operations.		
Net Budget Effect:	Operating Fund (10) - Increased by \$15,736.		

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-506000	Insurance Expense		\$ 8,000
10510-516000	Repairs & Maintenance	\$ 3,000	
10510-516200	Vehicle Maintenance	\$ 5,000	
10550-516400	Equipment Maintenance	\$ 150	
10550-532000	Supplies	\$ 800	
10550-590000	Capital Outlay	\$ 1,442	
10550-554000	Insurance		\$ 2,100
10550-535000	Credit Card Maintenance Fee		\$ 292
10410-526000	Advertising	\$ 400	
10410-506000	Insurance Expense		\$ 4,000
10410-526200	Promotional Efforts	\$ 3,600	
10490-545003	Contract Services/Court-Jail	\$ 500	
10490-513003	Utilities		\$ 500
10511-506000	Insurance Expense		\$ 5,000
10511-513000	Utilities	\$ 4,000	
10511-532000	Supplies	\$ 1,000	
10541-502100	Salaries - Overtime	\$ 2,500	
10541-502200	Holiday Pay	\$ 176	
10541-503000	Salaries - Part time		\$ 2,676
10795-576011	Adult Volleyball	\$ 18	
10795-506000	Insurance Expense		\$ 18
10980-590000	Capital Outlay	\$ 22	
10980-545000	Contract Services		\$ 22
60808-553001	Dues & Subscriptions - Sewer	\$ 1,184	
60808-511000	Telephone & Postage		\$ 750
60808-513000	Utilities		\$ 434
61818-506000	Insurance Expense		\$ 5,000
61818-545100	Credit Card Maintenance Fee	\$ 5,000	
66868-506000	Insurance Expense		\$ 672
66868-545100	Credit Card Maintenance Fee	\$ 1,000	
66868-561000	Professional Services		\$ 328
67878-590000	Capital Outlay	\$ 299	
67878-511000	Telephone & Postage		\$ 299
		<u>\$ 30,091</u>	<u>\$ 30,091</u>

Explanation: Various Departments - Operating transfers for the remainder of this fiscal year.

Net Budget Effect: Operating Fund (10) - No change.
 Ocean Sands Water and Sewer District Fund (60) - No change.
 Mainland Water Fund (61) - No Change
 Southern Outer Banks Water Fund (66) - No change.
 Moyock Central Sewer Fund (67) - No change.

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
63838-545002	Contract Services - Disposal	\$ 150,000	
63390-499900	Fund Balance Appropriated		\$ 150,000
		\$ 150,000	\$ 150,000

Explanation: Solid Waste (63838) - Increase appropriations for additional solid waste disposal for this fiscal year.

Net Budget Effect: Solid Waste Fund (63) - Increased by \$150,000.

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10480-508000	Supplemental Retirement	\$ 200	
10480-557300	Excise Tax on Deeds	\$ 60,000	
10320-41000	Deep Stamp Excise Tax		\$ 60,200
		\$ 60,200	\$ 60,200

Explanation: Register of Deeds (10480) - Increase appropriations for fees based on revenue collections for the Register of Deeds.

Net Budget Effect: Operating Fund (10) - Increased by \$60,200.

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12543-511003	Telephone & Postage	\$ 500	
12543-513003	Utilities	\$ 1,500	
12543-516103	Buildings & Grounds	\$ 200	
12543-536103	Personal Protective Equipment	\$ 1,101	
12543-516003	Repairs & Maintenance		\$ 1,000
12543-544003	Volunteer Assistance		\$ 500
12543-545000	Contract Services		\$ 1,598
12543-554003	Insurance		\$ 203
		\$ 3,301	\$ 3,301

Explanation: Moyock Volunteer Fire Department (12543) - Operating transfers for Moyock Volunteer Fire Department.

Net Budget Effect: Fire Services Fund (12) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12548-516015	Repairs & Maintenance	\$ 1,000	
12548-516115	Buildings & Grounds		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

Explanation: Knotts Island Volunteer Fire Department (12548) - Operating transfers for Knotts Island Volunteer Fire Department.

Net Budget Effect: Fire Services Fund (12) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12546-511006	Telephone & Postage	\$ 600	
12546-532106	Fire Supplies	\$ 2,200	
12546-554006	Insurance - Corolla	\$ 2,700	
12546-516006	Repairs & Maintenance		\$ 5,500
		<u>\$ 5,500</u>	<u>\$ 5,500</u>

Explanation: Corolla Volunteer Fire Department (12546) - Operating transfers for Corolla Volunteer Fire Department.

Net Budget Effect: Fire Services Fund (12) - No change.

3. Personnel Policy Revision-Insurance Benefits

4. Request for Approval-Turnout Gear Purchase-Carova Beach VFD

5. Strategic Alliance Agreement between the YMCA and Currituck County-Alpine Tower

C) Commissioner's Report

Commissioner White thanked the Ruritan Club for inviting him to their Currituck student college scholarship presentations. He, along with Commissioner Hall attended. He also reminded everyone of the Knotts Island Peach Festival this weekend.

Commissioner Gilbert encouraged job seekers or businesses looking for employees to utilize NC Works to help with employment needs. She discussed a recent Senior Center

newsletter that talked about "red bags" to store medications and maintain a list. She said medical responders are trained to look for the bags so use them and keep them visible. She wished all a happy and safe Independence Day.

Commissioner Payment asked that citizens support their local volunteer fire departments and consider volunteering. He discussed the possibility of the new water park opening this week.

D) County Manager's Report

Mr. Scanlon encouraged citizens to participate in the development of the county-wide pedestrian plan. He said meetings were held earlier, but those who could not attend may go to connectcurrituck.com and fill out an on line survey. Paper copies are also available at the Senior Centers and libraries.

RECESS

Chairman Hanig recessed the regular meeting of the Board of Commissioners in order to hold a Special Meeting of the Tourism Development Authority.

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners, during its regular meeting at 6 PM on June 19, 2017, convened a Special Meeting to sit as the Tourism Development Authority. The Special Meeting was held at the Historic Courthouse in the Board Meeting Room, 153 Courthouse Road, Currituck, North Carolina. The purpose of the meeting was to consider budget amendments.

E. Budget Amendments

County Manager, Dan Scanlon, reviewed the budget amendment for an unexpected repair of the air conditioning unit at Whalehead.

Commissioner Gilbert made a motion for approval. The motion was seconded by Commissioner Payment and passed unanimously.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15448-590000	Capital Outlay	\$ 6,743	
15448-554000	Insurance	\$ 2,239	
15448-506000	Health Insurance		\$ 7,754
15448-516000	Maintenance & Repairs		\$ 1,228
		<u>\$ 8,982</u>	<u>\$ 8,982</u>

Explanation:	Occupancy Tax Tourism Related (15448) - Transfer funds for Geothermal Pump replacement for Whalehead HVAC and installation labor and increase in insurance costs.
Net Budget Effect:	Occupancy Tax Fund (15) - No change.

With no further business the meeting of the Tourism Development Authority was adjourned.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

CLOSED SESSION

1. Amended Item: Closed Session Pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: *Letendre v. Currituck County*

Chairman Hanig reconvened the regular meeting of the Board to enter Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: *Letendre v. Currituck County*.

Commissioner Payment moved to enter into Closed Session, seconded by Commissioner Gilbert. The motion passed unanimously and the Board moved into Closed Session.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike H. Payment, Vice Chairman
SECONDER:	Marion Gilbert, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

ADJOURN**Motion to Adjourn Meeting**

The Board of Commissioners returned from closed session. Having no further business, Commissioner White moved to adjourn. Commissioner Etheridge seconded the motion which passed unanimously. The meeting of the Board of Commissioners concluded at 7:40 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS
REQUESTING A SPEED LIMIT STUDY ON BRUMSEY ROAD, LOCATED OFF OF
TULLS CREEK ROAD, MOYOCK**

WHEREAS, Currituck County has received citizen concerns regarding the current speed limit on Brumsey Road considering the increased presence of children in the area; and

WHEREAS, the Currituck County Board of Commissioners believes that a study should be performed to determine whether the current posted speed limit of 35 MPH is safe and appropriate.

NOW THEREFORE BE IT RESOLVED by the Currituck County Board of Commissioners that Currituck County requests the North Carolina Department of Transportation to conduct a study to determine whether the speed limit on Brumsey Road should be reduced.

ADOPTED the 17th day of July, 2017.

ATTEST:

Leeann Walton, Clerk to the Board

Bobby Hanig, Chairman

(COUNTY SEAL)

FY 16-17 SETTLEMENT FOR DELINQUENT TAXES FOR TAX YEARS 2007-2016 (G.S. 105-373)

COLLECTION TOTALS FOR THE YEARS 2007 -2016*							
YEARS	Levy All Charge Codes	Adjustments Releases/Writeoffs	Net Levy	Interest Collected	Tax Payments*	Unpaid Balance*	% COLL
2016	31,864,953.41	44,949.23	31,820,004.18	54,872.72	31,477,082.91	342,921.27	98.92%
2015	31,147,249.18	32,555.15	31,114,694.03	95,206.41	31,014,783.44	99,910.59	99.68%
2014	30,606,276.75	4,963.75	30,601,313.00	95,210.27	30,547,850.64	53,462.36	99.83%
2013	30,944,721.92	73,695.91	30,871,026.01	111,731.53	30,845,544.00	25,482.01	99.92%
2012	30,147,550.90	85,663.49	30,061,887.41	114,017.12	30,044,606.60	17,280.81	99.94%
2011	29,924,926.17	40,074.50	29,884,851.67	133,706.08	29,868,544.28	16,307.39	99.95%
2010	28,910,515.72	68,716.34	28,841,799.38	143,364.89	28,831,367.79	10,431.59	99.96%
2009	28,841,203.22	92,214.19	28,748,989.03	168,622.50	28,741,924.17	7,064.86	99.98%
2008	28,689,770.28	81,588.24	28,608,182.14	192,921.69	28,601,632.11	6,550.03	99.98%
2007	28,106,610.32	226,518.28	27,880,092.04	133,087.63	27,874,730.71	5,361.33	99.98%
TOTALS	299,183,777.87	750,939.08	298,432,838.89	1,242,740.84	297,848,066.65	584,772.24	99.80%

*Collections through June 30, 2017

Respectfully Submitted

and Sworn to this the 5th day of July 2017



Tracy Sample, Tax Collector



Phone: (252) 232-3005
Fax: (252) 232-3568

Tracy Sample
Tax Administrator

COUNTY OF CURRITUCK

Tax Department
P.O. Box 9
Currituck, North Carolina 27929

Reports of Insolvents

TO: Currituck County Board of County Commissioner

The following list contain delinquent personal property taxes that have been due for over 5 (five) years and are owed by **deceased taxpayers** and/or **businesses that are no longer in business.**

The undersigned Tax Collector respectfully reports that certain **personal property taxes** levied for the years shown below, remain uncollected, such uncollected being set out below. Said taxes are not liens upon liens upon real estate. The undersigned Tax Collector has made diligent efforts to collect said taxes by use of remedies against personal property as provided by law but has been unable to locate sufficient property belonging to delinquent taxpayers out of which the taxes might be collected. In every instance in which the existence of property belonging to delinquent taxpayers within other taxing units in North Carolina, the undersigned has proceeded under the provisions of G.S. 105-364.

Year	Bill #	Name	Unpaid Principal	Remarks
2012	10201	6D53 LLC,	68.48	Out of Business
2009	59	A PLUS LAWNCARE INC	893.04	Out of Business
2010	107	A PLUS LAWNCARE INC	116.16	Out of Business
2011	8	A PLUS LAWNCARE INC	127.78	Out of Business
2012	107	A PLUS LAWNCARE INC	140.56	Out of Business
2011	27	ALL ABOUT BROTHERS SEAFOOD	38.72	Out of Business
2012	131	ALL ABOUT BROTHERS SEAFOOD	42.59	Out of Business
2011	53	ANCHOR CONTRACTING	61.57	Out of Business
2012	153	ANCHOR CONTRACTING	61.57	Out of Business
2010	21329	ATLANTIC WEST BUILDING SUPPLY	37.95	Out of Business
2007	25046	AUSTIN, CLARENCE BURRUS JR.	7.01	Deceased
2011	92	BACKYARD LIQUIDS INC	16.31	Out of Business
2008	24096	BARROW CONSTRUCTION	15.01	Out of Business
2008	22125	BERNDT, ALEXANDER	18.17	Deceased
2010	19	COASTLINE CONTRACTORS INC	31.26	Out of Business
2011	314	COASTLINE CONTRACTORS INC	411.60	Out of Business
2011	5560	COLBY MANAGEMENT GROUP LLC	13.44	Out of Business

<u>Year</u>	<u>Bill #</u>	<u>Name</u>	<u>Unpaid Principal</u>	<u>Remarks</u>
2011	5633	D & B TRUCKING INC,	10.15	Out of Business
2010	35	CLASSY CLOSET CONSIGNMENTS	17.60	Out of Business
2011	450	CLASSY CLOSET CONSIGNMENTS	9.68	Out of Business
2012	556	CLASSY CLOSET CONSIGNMENTS	10.65	Out of Business
2010	8185	DRE LLC	56.80	Out of Business
2011	454	DREAMBUILDERS OF NC INC	204.99	Out of Business
2012	561	DREAMBUILDERS OF NC INC	225.48	Out of Business
2011	473	EASTERN AUTOMOTIVE LLC	9.03	Out of Business
2011	631	GRIFFIN, HAZEL ODESSA	29.80	Deceased
2012	730	GRIFFIN, HAZEL ODESSA	29.80	Deceased
2011	633	GRIFFITHS ELEC CONTRACTOR	51.54	Out of Business
2012	732	GRIFFITHS ELEC CONTRACTOR	56.69	Out of Business
2011	8579	GRIMES, THOMAS ALLEN	16.11	Deceased
2012	736	GRIMES, THOMAS ALLEN	29.76	Deceased
2007	3699	HILLTOP MARKET	5.12	Out of Business
2008	8944	J AND J LAND DEVELOPMENT	80.96	Out of Business
2011	756	JDM OF THE OUTER BANKS INC	1,280.53	Out of Business
2011	757	JDM OF THE OUTER BANKS INC	1,282.01	Out of Business
2011	20935	RAST, SARAH LEDBETTER	5.28	Deceased
2010	22602	SEASIDE STONE & TILE INC	5.38	Out of Business
2010	1499	SHALEC LLC	261.94	Out of Business
2007	2091	SNEAD, BRYAN DOUGLAS	11.74	Deceased
2009	7065	STARCHED TREE SERVICE	16.19	Out of Business
2012	1470	STINGRAYS ITALIAN SEAFOOD	99.95	Out of Business

Respectfully Submitted and Sworn to this the 7^h day of July 2017



Tracy Sample, Tax Collector

Resolution Approving the Settlement with the Tax Collector for Insolvents

WHEREAS, N.C.G.S. 105-373 requires that settlement be made with the Tax Collector for taxes charged to the Tax Collector; and

WHEREAS, N.C.G.S. 105-373(a2) allows for the designating of persons owing taxes (but who own no real property) that are found to be insolvent; and

WHEREAS, N.C.G.S. 105-373(g) provides for the governing body of any taxing unit may, in its discretion, relieve the tax collector of the charge of taxes owed by persons on the insolvent list that are over five or years past due when it appears to the governing body that such taxes are uncollectible;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Those persons and entities identified in the Report of Insolvents submitted by the Tax Collector are found to be insolvent.
2. The insolvents list shall be credited to the Tax Collector as part of his settlement.
3. The Tax Collector is relieved of the charge of taxes owned by persons and entities on the insolvents list that are five or more years past due.

THIS the _____ day of _____, 20____.

THE CURRITUCK COUNTY BOARD OF COMMISSIONERS

BY: _____ (SEAL)
Chairman – Board of County Commissioners

Attest:

Clerk to the Board

**RESOLUTION AUTHORIZING THE PURCHASE OF HERSHY METER/HOT ROD
AMRs FROM MUELLER SYSTEMS/FORTILINE THROUGH SOLE SOURCE
PURCHASE**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, Mueller Systems is the owner of Hershey Meter/Hot Rod AMR water meters and accessory equipment; and

WHEREAS, Mueller Systems only issues one distributor the authority to sell its products within a state and Fortiline is the sole supplier in North Carolina; and

WHEREAS, Hershey Meters/Hot Rod AMR water meters and accessory equipment are used by Southern Outer Banks Water System and Mainland Water; and

WHEREAS, the acquisition of Hershey Meters/Hot Rod AMR water meters and accessory equipment from Mueller Systems/Fortiline will assure standardization and compatibility of the parts used by the Southern Outer Banks Water System and Mainland Water and is the only source of needed and required water meters;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina as follows:

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$323,226.51 with Mueller Systems/Fortiline for the sole source purchase of Hershey Meter/Hot Rod AMR water meters and accessory equipment in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Mueller Systems/Fortiline for the acquisition apparatus, materials and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the _____th day of July, 2017.

Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

(COUNTY SEAL)

*Southern Outer Banks Water System
734 Ocean Trail
Corolla, NC
Phone: (252)453-2620
Fax: (252)453-2556*



Mueller Systems is the mother company of Hershey Meter/Hot Rod AMRs. They only issue one distributor the authority to sell their products per State. Fortiline is therefore the “sole supplier” for the Hershey Meters/Hot Rod AMRs that we use.

Below is the order to be placed by SOBWS and the Mainland.

SOBWS:

Quantity	Part #	Description	Price Each	Total Price
660	D3500161B	¾-inch register w/Hot Rod for 430 meters	155.71	\$120,768.60
21	D35003561B	1-inch register w/Hot Rod for 452 meters	155.71	\$3,269.91
1200	A12658	Locking pins	.40	\$480.00
520	VOGA2945	¾-inch 420 meter body with nicor plug	89.00	\$46,280.00
520	AHRHPO5DL	¾-inch 420 register w/Hot Rod w/nicor plug	80.00	\$41,600.00
30	VOKS29292	1-inch meter w/Hot Rod	319.00	\$9,570.00
1	Q9NS20592	1 ½ inch meter w/Hot Rod	589.00	\$589.00
4	Q9PS20592	2-inch meter w/Hot Rod	729.00	\$2,916.00
		TOTAL		\$225,473.51

Mainland Water:

Quantity	Part #	Description	Price Each	Total Price
577	VOGA2945	¾-inch 420 meter body with nicor plug	89.00	\$51,353.00
577	AHRHPO5DL	¾-inch 420 register w/Hot Rod w/nicor plug	80.00	\$46,160.00
600	A12658	Locking pins	.40	\$240.00
		TOTAL		\$97,753.00

Benjie Carawan, Utilities Superintendent
Phone: (252) 453-2660 ext. 0#
Email: Benjie.Carawan@Currituckcountync.gov